

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

## ORDER

On July 7, 2008, a hearing was held on the issue of defendant Derek J. Callier's competency. The parties stipulated to the Forensic Psychological Report dated June 16, 2008, and prepared by Chad Brinkley, PhD.

On July 7, 2008, United States Magistrate Judge Sarah W. Hays issued her Report and Recommendation.

Upon careful and independent review of the record, as well as the applicable law, and there being no objections filed to the Report and Recommendation, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is

ORDERED that defendant Derek J. Callier is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of

the proceedings against him or assisting in his own defense and that he is competent to stand trial.

s/ Gary A. Fenner

GARY A. FENNER, JUDGE

UNITED STATES DISTRICT COURT

DATED: July 25, 2008